

**EXHIBIT 2 TO
DECLARATION OF SHANEE Y. WILLIAMS
ISO ADVANCEME'S OPPOSITION TO DEFENDANT'S
MOTION TO EXTEND DISCOVERY DEADLINE**

From: Deborah Race [mailto:drace@icklaw.com]
Sent: Friday, June 22, 2007 3:02 PM
To: Edelman, Michael N.; Lemieux, Ronald (Ron) S.
Subject: FW: Motion for Extension of Discovery Deadlines as to Depositions--AdvanceMe v. AmeriMerchant

I have not had a chance to look at these yet.

Deborah Race

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From: Matt Rowan [mailto:a43@potterminton.com]
Sent: Friday, June 22, 2007 4:18 PM
To: Deborah Race; jgray@velaw.com
Cc: Doug McSwane
Subject: Motion for Extension of Discovery Deadlines as to Depositions--AdvanceMe v. AmeriMerchant

Deborah and Joey:

Pursuant to Doug's previous e-mail of this afternoon, I am forwarding to you both a **draft** of the Joint Motion to Extend Deadlines for Conducting of Depositions. Please review and make any suggestions. I have attached the Draft Motion and the Draft Proposed Order. Both are in Word format.

Please let me know of any changes I can make.

Matt

J. Matt Rowan

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7/9/2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADVANCEME, INC.	§	
	§	Civil Case No. 6:06-CV-82
VS.	§	
	§	Davis
AMERIMERCHANT LLC	§	

**JOINT MOTION TO EXTEND DEADLINES FOR CONDUCTING OF
DEPOSITIONS**

Plaintiff AdvanceMe, Inc. and Defendant AmeriMerchant LLC (Corporately referred to as “parties”) hereby move to extend the deadlines for the taking of depositions in the above-captioned cause and would show the Court as follows:

1. Parties current deadline for all fact discovery (including the conducting of depositions) in this matter is presently set for **July 17, 2007**¹

2. This present deadline falls squarely in the middle of the dates set for trial in the matter styled Cause No. 6:05-CV-424 (LED-LDL) *AdvanceMe, Inc. v. RapidPay, LLC, Business Capital Corporation, First Funds LLC , Merchant Money Tree, Inc., Reach Financial, LLC and Fast Transact, Inc. d/b/a Simple Cash* presently pending in the United States District Court for the Eastern District of Texas—Tyler Division (hereafter referred to as the “RapidPay case”) . The trial for the RapidPay case is presently set to begin on July 16, 2007. Counsel for both parties in this matter are actively involved in the trial of the RapidPay case.

¹ Pursuant to Docket Control Order dated July 5, 2006 (dkt 20).

3. The parties are diligently working on completing their fact discovery in this matter; however, as a result of the Rapid Pay case and its present trial setting, they require additional time to complete certain depositions in this matter.

This extension is requested not for purposes of delay, but to allow the parties adequate time to conduct fact discovery on the matters in suit and conduct depositions of witnesses in this case.

Therefore, the parties respectfully request that the fact discovery deadline for the conducting of depositions of witnesses in the above-captioned cause be extended up to and including **September 10, 2007**.

Submitted: June 22, 2007

Respectfully submitted,

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the ____ day of June, 2007. Any other counsel of record will be served by first class mail on this same date.

Douglas R. McSwane, Jr.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ADVANCEME, INC.

§

Civil Case No. 6:06-CV-82

VS.

§

§

Davis

AMERIMERCHANT LLC

§

§

**ORDER ON JOINT MOTION TO EXTEND DEADLINES
FOR TAKING OF DEPOSITIONS**

On this day came on to be heard, the Joint Motion to Extend Deadlines for Taking of Depositions, and upon considering same, the Court is of the opinion that said Motion should be GRANTED and the deadline for taking depositions should be extended until September 10, 2007.